

Prepared by: Karl Bohne  
Address: 1311 Bedford Dr., Melbourne, FL  
32940

### BINDING DEVELOPMENT PLAN

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ between the BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter referred to as "County") and Timothy and Rebecca Reaves, (hereinafter referred to as "Developer/Owner").

### RECITALS

WHEREAS, Developer/Owner owns property (hereinafter referred to as the "Property") in Brevard County, Florida, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, Developer/Owner has requested the RR-1 zoning classification(s) and desires to develop the Property as a single family residence, and pursuant to the Brevard County Code, Section 62-1157; and

WHEREAS, as part of its plan for development of the Property, Developer/Owner wishes to mitigate negative impact on abutting land owners and affected facilities or services; and

WHEREAS, the County is authorized to regulate development of the Property.

NOW, THEREFORE, the parties agree as follows:

1. The County shall not be required or obligated in any way to construct or maintain or participate in any way in the construction or maintenance of the improvements. It is the intent of the parties that the Developer/Owner, its grantees, successors or assigns in interest or some other association and/or assigns satisfactory to the County shall be responsible for the maintenance of any improvements.

2. The Developer/Owner shall limit development to one single-family residence and may be further restricted by any changes to the Comprehensive Plan or Land Development Regulations.
3. Developer/Owner shall comply with all regulations and ordinances of Brevard County, Florida. This Agreement constitutes Developer's/Owner's agreement to meet additional standards or restrictions in developing the Property. This agreement provides no vested rights against changes to the Comprehensive Plan or land development regulations as they may apply to this Property.
4. Developer/Owner, upon execution of this Agreement, shall pay to the Clerk of Court the cost of recording this Agreement in the Public Records of Brevard County, Florida.
5. This Agreement shall be binding and shall inure to the benefit of the successors or assigns of the parties and shall run with the subject Property unless or until rezoned and be binding upon any person, firm or corporation who may become the successor in interest directly or indirectly to the subject Property, and be subject to the above referenced conditions as approved by the Board of County Commissioners on February 6, 2020. In the event the subject Property is annexed into a municipality and rezoned, this Agreement shall be null and void.
6. Violation of this Agreement will also constitute a violation of the Zoning Classification and this Agreement may be enforced by Sections 1.7 and 62-5, Code of Ordinances of Brevard County, Florida, as may be amended.
7. Conditions precedent. All mandatory conditions set forth in this Agreement mitigate the potential for incompatibility and must be satisfied before Developer/Owner may implement the approved use(s), unless stated otherwise. The failure to timely comply with any mandatory condition is a violation of this Agreement, constitutes a violation of the Zoning Classification and is subject to enforcement action as described in Paragraph 6 above.

IN WITNESS THEREOF, the parties hereto have caused these presents to be signed all as of the date and year first written above.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF BREVARD COUNTY, FLORIDA  
2725 Judge Fran Jamieson Way  
Viera, FL 32940

\_\_\_\_\_  
Scott Ellis, Clerk  
(SEAL)

\_\_\_\_\_  
Bryan Lober, Chair  
As approved by the Board on \_\_\_\_\_

(Please note: You must have two witnesses and a notary for each signature required. The notary may serve as one witness.)

WITNESSES:

Timothy Reaves and Rebecca Reaves as  
OWNER

Renee Dail  
Renee Dail  
(Witness Name typed or printed)

Timothy Reaves  
Rebecca Reaves  
Timothy Reaves  
Rebecca Reaves

Nikole Hicks  
Nikole Hicks  
(Witness Name typed or printed)

3860 Bichy Rd  
Mims, FL 32754  
(Address)

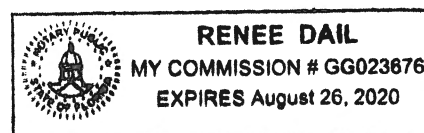
STATE OF Florida §

COUNTY OF Brevard §

The foregoing instrument was acknowledged before me this 12 day of Feb, 2020, by Timothy Reaves and Rebecca Reaves, who is personally known to me or who has produced \_\_\_\_\_ as identification.

My commission expires  
SEAL  
Commission No.:

Renee Dail  
Notary Public  
(Name typed, printed or stamped)



## Exhibit A

Parcel ID No: 20-35-31-AB-3-2.01

The North 387.4 feet (as measured along the lot lines) of Lot 2, Block 3.  
PLAT OF INDIAN RIVER PLANTATION ESTATES, according to the plat  
thereof, as recorded in Plat Book 13, Page 51, of the Public Records of  
Brevard County, Florida

STATE OF FLORIDA  
COUNTY OF BREVARD

Rebecca Reaves, after being duly sworn, deposes and says:

The undersigned is the owner of the real property described as follows:

Exhibit A

Parcel ID No: 20-35-31-AB-3-2.01

The North 387.4 feet (as measured along the lot lines) of Lot 2, Block 3. PLAT OF INDIAN RIVER PLANTATION ESTATES, according to the plat thereof, as recorded in Plat Book 13, Page 51, of the Public Records of Brevard County, Florida

There are no mortgages on the above described property

Dated this 13 day of February 2020.

[Signature]  
Signature

STATE OF FLORIDA  
COUNTY OF BREVARD

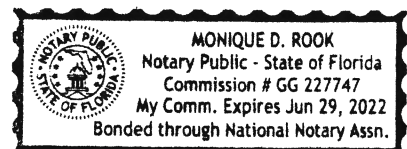
The foregoing instrument was sworn to before me this 13 day of February 2020, by Rebecca Reaves, who is personally known to me or who has produced Driver license as identification, and who did take an oath.

R120726756660

Notary Public:

[Signature]  
State of Florida at Large  
My Commission Expires:

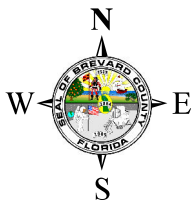
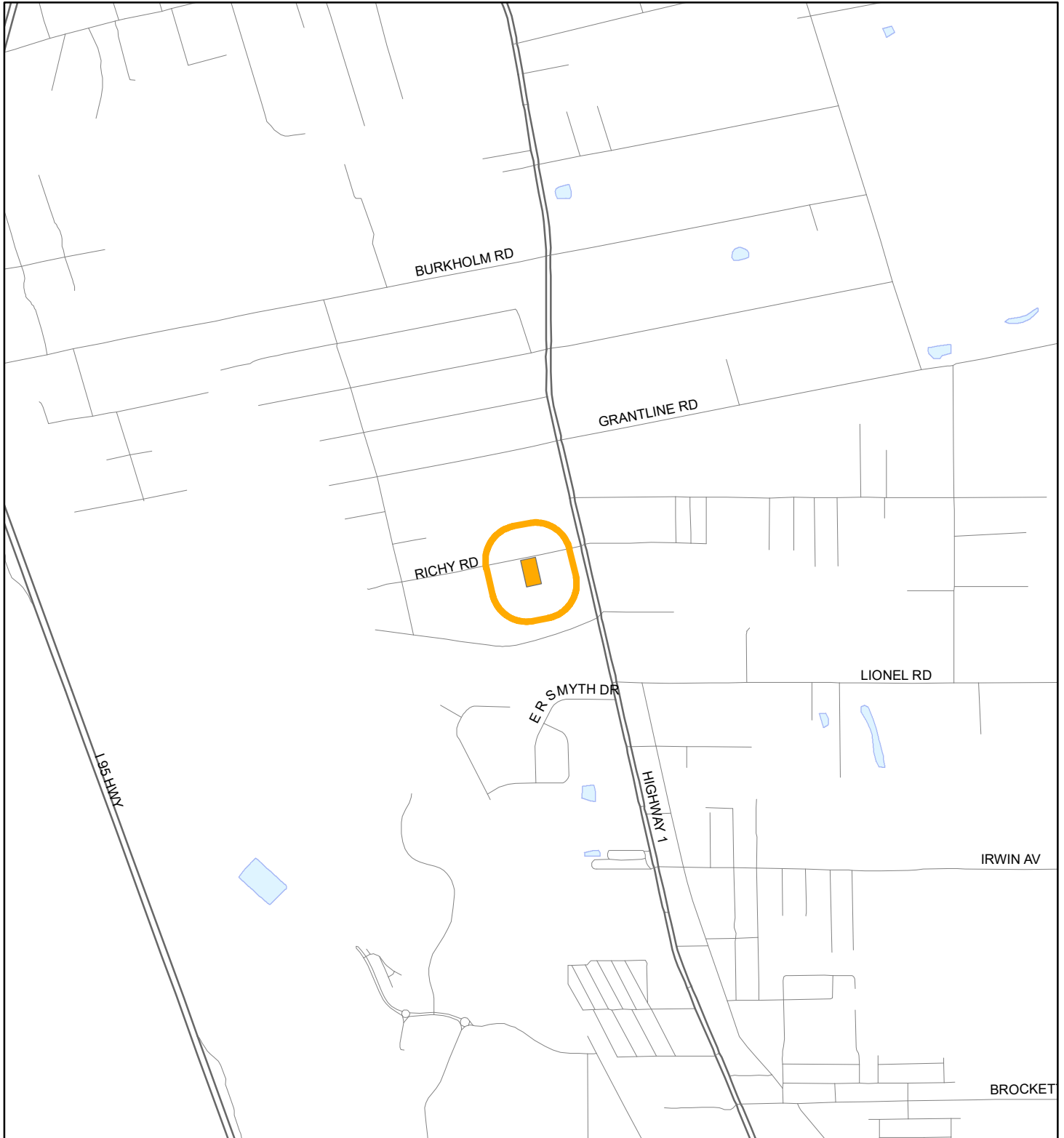
(SEAL)



# LOCATION MAP

REAVES, TIMOTHY D. AND REBECCA F.

19PZ00127





1:24,000 or 1 inch = 2,000 feet

Buffer Distance: 500 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

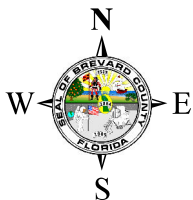
Produced by BoCC - GIS Date: 10/16/2019

 Buffer  
 Subject Property

# ZONING MAP

REAVES, TIMOTHY D. AND REBECCA F.


19PZ00127



1:4,800 or 1 inch = 400 feet

This map was compiled from recorded documents and does not reflect an actual survey. The Brevard County Board of County Commissioners does not assume responsibility for errors or omissions hereon.

Produced by BoCC - GIS Date: 10/16/2019

 Subject Property

 Parcels

 Zoning

## PUBLIC HEARINGS

Planning and Zoning Board / Local Planning Agency  
Monday, January 13, 2020, at 3:00 p.m.

and

Brevard County Board of County Commissioners  
Thursday, February 6, 2020, at 5:00 p.m.

Both at the  
Brevard County Government Center  
2725 Judge Fran Jamieson Way, Building C, Commission Room, Viera, Florida

The Board of County Commissioners may approve or deny the requested classification, or may approve a classification of lesser intensity than that requested.

1. **Zamira and Gezim Doci (Andi Doci)** request a change of zoning classification from RU-1-7 (Single-Family Residential) to RU-2-12 (Medium Density Multi-Family Residential). The property is 0.18 acres, located on the north side of Atlantic Avenue, approximately 0.40 mile west of Highway A1A. (159 Atlantic Avenue, Indialantic) (Tax Account 2716189) (19PZ00124) (District 5)

**Planning and Zoning Board Recommendation:** Filiberto/Moia – Denied. The vote was unanimous.

**Board of County Commissioners Action:** Isnardi/Pritchett – Denied. The vote was unanimous. (Smith absent)

2. **Timothy D. and Rebecca F. Reaves** request a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from Residential 1:2.5 to Residential 1. The property is 2 acres, located on the south side of Richy Road, approximately 0.12 mile west of U.S. 1. (No assigned address. In the Mims area) (19PZ00126) (Tax Account 2000310) (District 1)

**Local Planning Agency Recommendation:** Bartcher/Moia – Approved. The vote was unanimous.

**Board of County Commissioners Action:** Pritchett/Lober – Approved as recommended, and adopted Ordinance 20-03. The vote was unanimous. (Smith absent)

3. **Timothy D. and Rebecca F. Reaves** request a change of zoning classification from AU (Agricultural Residential) to RR-1 (Rural Residential). The property is 2 acres, located on the south side of Richy Road, approximately 0.12 mile west of U.S. 1. (No assigned address. In the Mims area) (19PZ00127) (Tax Account 2000310) (District 1)

**Planning and Zoning Board Recommendation:** Bartcher/Moia – Approved with a BDP (Binding Development Plan) limited to one single-family residence. The vote was unanimous.

**Board of County Commissioners Action:** Pritchett/Lober – Approved as recommended, with a BDP limited to one single-family residence. The vote was unanimous. (Smith absent)  
The BDP will be scheduled as a Consent Item on a subsequent County Commission agenda, per Policy BCC-52. Resolution to be completed upon receipt of recorded BDP.



## PLANNING AND ZONING BOARD RECOMMENDATIONS

- Item H.1. Zamira and Gezim Doci. Isnardi/Pritchett. Denied a change of zoning classification from RU-1-7 to RU-2-12. Commissioner Smith was absent.
- Item H.2. Timothy D. and Rebecca F. Reaves. Pritchett/Lober. Approved as recommended for a Small Scale Comprehensive Plan Amendment, (19S.12), Ordinance No. 20-03. Commissioner Smith was absent.
- Item H.3. Timothy D. and Rebecca F. Reaves. Pritchett/Lober. Approved as recommended with BDP limited to one single-family residence. Commissioner Smith was absent.
- Item H.4. Charles and Lindsey Michell. Pritchett/Isnardi. Approved as recommended. Commissioner Smith was absent.
- Item H.5. Robert and Donna Murico. Withdrawn by applicant. Letter received 01/13/2020.
- Item H.6. John Vogt. Pritchett/Lober. Approved as recommended. Commissioner Smith was absent.
- Item H.7. Thomas P. and Shannon Harmony. Isnardi/Tobia. Approved as recommended. Commissioner Smith was absent.
- Item H.8. Holly Enterprises of Brevard, Inc. Isnardi/Tobia. Approved as recommended. Commissioner Smith was absent.
- Item H.9. Reagen & McKinley, LLC. Pritchett/Isnardi. Approved as recommended. Commissioner Smith was absent.
- Item H.10. Beatrice A. Akman. Pritchett/Lober. Continued to March 5, 2020, BOCC Meeting. Commissioner Smith was absent.
- Item H.11. Estrella Funeias Shouppe. Isnardi/Lober. Approved as recommended with a BDP, limited to seven lots. Commissioner Smith was absent.
- Item H.12. Barefoot Bay Recreation District. Tobia/Lober. Approved as recommended. Commissioner Smith was absent.
- Item H.13. Port St. John Station, LLC. Pritchett/Lober. Approved as recommended. Commissioner Smith was absent.
- Item H.14. Bonnie E. Douglas, Trustee. Tobia/Lober. Approved as recommended with a BDP limited to 173 mobile homes sites. Commissioner Smith was absent.